

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-18678 - APPLICANT: LAMAR ADVERTISING - OWNER:
Z J & R PROPERTIES, LLC**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
7. Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada saying the billboard is sound.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two Year Review of an approved Special Use Permit (U-0043-94) which allowed a 55 foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 3920 West Charleston Boulevard.

The subject off-premise advertising (billboard) sign is not in compliance with city requirements as final inspections were not conducted and the pole and support structure is not uniformly painted. Due to these reasons denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/07/93	The City Council approved a Special Use Permit (U-0089-93) to allow the sale of beer and wine within an existing restaurant; and a Waiver of the 400-foot distance separation from a public park on property located at 3900 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.
04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot high, 14-foot x 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
08/21/02	The City Council reviewed an appeal of the denial of the Planning Commission and approved the two-year review of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard.
11/05/03	The City Council reviewed an appeal of the denial of the Planning Commission and approved the one-year review (RQR-2861) of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard. Planning Commission and staff recommended denial on September 25, 2003.

03/02/05	The City Council approved a Required One Year Review (RQR-5168) of an Approved Special Use Permit (U-0043-94), which allowed a 55-foot tall, 14-foot x 48-foot off-premise advertising (Billboard) sign at 3920 West Charleston Boulevard. The Planning Commission and staff recommended denial.
05/18/05	The City Council approved a Required Two Year Review (RQR-5171) of an approved Special Use Permit (U-0043-94), which allowed a 55 foot tall, 14-foot x 48-foot off premised advertising (billboard) sign at 3900 West Charleston Boulevard.
06/07/06	The City Council approved a request for a Required One Year Review of an Approved Special Use Permit (U-0043-94) which allowed a 55 foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 3900 West Charleston Boulevard. The Planning Commission and staff recommended approval.
03/08/07	A site inspection was conducted and photographs were taken depicting that the pole is not uniformly painted.
04/12/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #76/ng).
<i>Related Building Permits/Business Licenses</i>	
06/02/94	A building permit was issued for the subject billboard. Final inspections were not conducted.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.23

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices Park	SC (Service Commercial) PR/OS (Parks/Recreation/Open Space)	C-1 (Limited Commercial) C-V (Civic)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	PF (Public Facilities)	C-V (Civic)
West	Shopping Center	SC (Service	C-2 (General

		Commercial)	Commercial)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Each face is 672 square feet. The sign contains no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y

Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened from view; in addition, the support pole is covered to match the on-premises building design	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

ANALYSIS

This is the sixth review for the subject off-premise advertising (billboard) sign. A site inspection yielded that the pole was not painted uniformly. A condition of approval shall require that the pole and structure be repainted. It is noted that final inspections were not conducted on the subject off-premise advertising (billboard) sign; therefore, the subject off-premise advertising (billboard) sign is not in compliance with city requirements. Denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) sign is not in compliance with city requirements as final inspections were not conducted and the pole and support structure is not uniformly painted. Due to these reasons denial of this request is recommended.

PLANNING COMMISSION ACTION

The Planning Commission added condition #7.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT

34

SENATE DISTRICT 11

NOTICES MAILED 69 by City Clerk

APPROVALS 0

PROTESTS 0